

Message Text

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SUBJECT: DEPARTMENT OF LABOR REQUEST FOR INFORMATION ON MILITARY
UNIONS

REF: STATE 163207

1. PUBLIC POLICY IN BELGIUM SEEKS, WITHIN CERTAIN LIMITS, TO
PROVIDE MILITARY PERSONNEL THE SAME TRADE UNION RIGHTS ENJOYED
BY OTHER PUBLIC SERVICE WORKERS. THIS POLICY IS BROADLY
STATED IN THE FEBRUARY 1, 1975 LAW GOVERNING DISCIPLINE IN
THE ARMED FORCES. THE LAW PERMITS ALL ACTIVE DUTY MEMBERS
OF THE ARMED FORCES (OFFICERS, NON-COMS, ENLISTED - BUT
EXCLUDING CONSCRIPTS AND GENDARMES) TO JOIN RECOGNIZED
ASSOCIATIONS OF MILITARY PERSONNEL, INCLUDING TRADE UNIONS
RECOGNIZED AS REPRESENTATIVE OF PUBLIC SERVICE WORKERS.
UNIONS SO RECOGNIZED ARE THE SOCIALIST-ORIENTED FGTB,
THE SOCIAL CHRISTIAN CSC, AND THE LIBERAL CGSLB. ALL
FORMS OF STRIKE ARE PROHIBITED. MEMBERS OF THE GENDARMERIE MAY NOT
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JOIN TRADE UNIONS, BUT MAY BE REPRESENTED

BY PROFESSIONAL ORGANIZATIONS APPROVED BY THE KING.
SUCH ORGANIZATIONS ARE TO BE COMPOSED SOLELY OF SERVING
OR RETIRED MEMBERS OF THE GENDARMERIE.

2. THE FOREGOING POLICY IS TO BE IMPLEMENTED BY A
SECOND LAW, DETAILING THE STATUS AND RIGHTS OF TRADE
UNIONS IN THE MILITARY. GOVERNMENT MAY PRESENT SUCH A
DRAFT LAW AT THE NEXT LEGISLATIVE SESSION. MEANWHILE
THE BELGIAN MILITARY OPERATES UNDER AN INTERIM ARRANGEMENT
FEATURING "CONSULTATIONS" BETWEEN DEFENSE AUTHORITIES
AND REPRESENTATIVES OF THE BIG THREE UNIONS AND
THREE SEPARATE PROFESSIONAL ASSOCIATIONS IT IS EXPECTED THAT
FOLLOW-UP LEGISLATION WILL ELIMINATE ALL BUT THE
SINGLE MOST REPRESENTATIVE OF THESE PROFESSIONAL ASSOCIATIONS
AT THIS SECOND STAGE, CONSULTATION WILL GIVE WAY TO TRUE COLLECTIVE
BARGAINING ON MATTER SUCH AS PAY, DUTY HOURS, LEAVE, FOOD, QUARTERS,
CLOTHING AND ALL OTHER MATTERS TOUCHING THE INDIVIDUAL WELL-
BEING OF THE SERVICEMAN. IT IS EXPECTED THAT MOST SUCH
BARGAINING WILL OCCUR AT THE CHIEF OF STAFF LEVEL, AND
THAT IT WILL LEAD TO WRITTEN AGREEMENTS. UNRESOLVED
CONFLICTS MAY RISE THROUGH THE COMMAND/TRADE UNION
STRUCTURE TO THE CHIEF OF STAFF, WITH RIGHT OF APPEAL
TO THE MINISTRY OF DEFENSE. DEFENSE OFFICIALS SEE
BARGAINING AS A STRICTLY "IN HOUSE" MOD FUNCTION, WITH
THE MINISTER'S DECISION FINAL IN ALL CASES. THE TRADE
UNIONS, HOWEVER, SEE BARGAINING AS EXTENDING TO THE
INTERMINISTERIAL LEVEL ON QUESTIONS SUCH AS PAY, PENSION
RIGHTS, ETC.

3. ORGANIZATION IN THE MILITARY EMERGED FROM PROFESSIONAL
ASSOCIATIONS DATING FROM 1935. DECISION WITHIN THE ORGANIZATION
OF NON-COMMISSIONED OFFICERS RESULTED IN THE FORMATION
(1966) OF THE MORE MILITANT UNION PROFESSIONAL
DES SOUS-OFFICIERS BELGES (UPSOB) WHICH, THROUGH
POLITICAL PRESSURE OUTSIDE THE ARMY, WAS ABLE EVENTUALLY
TO FORCE THE CONCESSIONS EMBODIED IN THE FEBRUARY 1975 LAW
CITED ABOVE. UPSOB (UNDER THE NAME SYNDIC) LATER AFFILIATED
"EN BLOCK" WITH THE LIBERAL CONFEDERATION CGSLB. AT
THIS POINT BOTH THE FGTB AND THE CSC BECAME SOMEWHAT
MORE ACTIVE IN THE MILITARY AREA. EACH OF THE LATTER
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TWO ORGANIZATIONS HAS A MILITARY SECTION WITHIN A
LARGER GROUPING OF PUBLIC SERVICE WORKERS.

4. ELEMENTS ARE BUSILY ORGANIZING WHAT APPEARS TO BE
GENERAL INTEREST BOTH AMONG OFFICERS AND ENLISTED
PERSONNEL. WHILE NO OFFICIAL ESTIMATES ARE AVAILABLE,
ONE TRADE UNION SOURCE BELIEVES OVERALL ORGANIZATION
AMONG SERVICEMEN STANDS AT ROUGHLY 70 PERCENT.

5. DEFENSE OFFICIALS ANTICIPATE NO SERIOUS PROBLEMS
IN DEALING WITH UNIONS UNDER NORMAL CONDITIONS THEY
APPEAR CONFIDENT, MOREOVER, THAT THE UNIONS WILL POSE
NO OBJECTION TO PROVISIONS IN THE IMPLEMENTING LEGISLATION
WHICH WOULD PRESERVE INTACT COMMAND PREROGATIVES
IN TIME OF WAR, CIVIL STRIFE OR OTHER EMERGENT
SITUATIONS. TRADE UNION CONTACTS CONFIRM THIS VIEW.

6. COPIES OF FEBRUARY 1, 1975 LAW, AND FOLLOW-UP
LEGISLATION, WILL BE FORWARDED ASAP.
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